

January 10, 2023

The Honorable Carole Johnson
Administrator
Health Resources Services Administration
U.S. Department of Health and Human Services
5600 Fishers Lane
Rockville, MD 20857

VIA ELECTRONIC MAIL

Dear Administrator Johnson:

As leaders of United Network for Organ Sharing (UNOS), we are writing to seek your support in advancing a plan to restructure the governance of the Organ Procurement and Transplantation Network (OPTN). As you are aware, at present, the OPTN contractor and the OPTN have the same board of directors in order to meet the requirements of the National Organ Transplant Act (NOTA), its enabling regulation, and the current OPTN contract. We share HRSA's desire to create two distinct boards of directors to ensure the OPTN is a private nonprofit entity as required by NOTA.

As such, we have proposed a collaborative pathway forward. In May 2021, UNOS initiated discussions with HRSA in the interest of developing a legally, fiscally and logistically sound structure for an independent OPTN. Since that time, however, our attempts to hold additional discussions with HRSA have not progressed.

Earlier today, UNOS wrote to the Contracting Officer for the OPTN Contract, requesting a modification to the current OPTN contract. The proposed modification would assign UNOS a task to develop a plan to separate the OPTN Board of Directors from UNOS' Board of Directors. The OPTN Board of Directors must be part of that collaboration. It is critical that key areas of authority, responsibility, and accountability between and among HRSA, the OPTN, and the OPTN contractor be definitively established to ensure an effective governance model for the benefit of the patients, donors and donor families we serve.

We respectfully request that HRSA approve this modification quickly, as separating the boards raises many complex questions and will require extensive collaboration to ensure a seamless transition for our community. The end of the current contract, September 29, 2023, would be an ideal time to complete the separation of the boards.

We look forward to working with you on this matter.

Sincerely,



Jerry McCauley, MD, MPH
Chief, Division of Nephrology
Vice Chairman, Health Equity, Diversity and Inclusion
Jefferson Medical College of Thomas Jefferson University
President, United Network for Organ Sharing



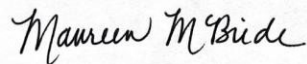
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Maureen McBride, Ph.D.
Interim Chief Executive Officer, United Network for Organ Sharing

CC: Suma Nair, Ph.D., Acting Associate Administrator
Frank Holloman, Director, Division of Transplantation
Adrienne Goodrich-Doctor, Ph.D., Chief, Organ Transplantation
Christopher McLaughlin, Senior Policy Advisor, Organ Transplantation, OPTN Contract
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